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New York

President:	Mr. Muñoz	(Chile)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Mr. King
	United States of America	Mr. Holliday

Agenda

Small arms

Report of the Secretary-General on small arms (S/2003/1217)

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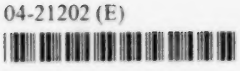

The meeting resumed at 3.35 p.m.

The President (*spoke in Spanish*): The next speaker is the representative of New Zealand, to whom I give the floor.

Mr. McIvor (New Zealand): It is my honour to address the Council on behalf of the members of the Pacific Islands Forum group of countries that maintain permanent missions in New York, namely Australia, the Federated States of Micronesia, Fiji, the Republic of the Marshall Islands, Nauru, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, New Zealand.

We welcome the Council's continuing consideration of the issues surrounding the illicit trade in small arms and light weapons. The Programme of Action adopted at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects underscored the multifaceted nature of this issue and the real and immediate threat that the illicit trade in and possession of these weapons poses to the security of nations and individuals. The destabilizing effect of the proliferation of such weapons, their role in exacerbating unrest and conflict and their disproportionate effect on civilians, women and children were further recognized at the First Biennial Meeting on the Programme of Action, held in New York last July.

National and regional action remains critical to the effective implementation of the Programme of Action. However, there is also an important role for international initiatives and, in particular, for the Council, to play. Small arms and light weapons remain a significant factor in many of the conflicts currently under the Council's eye. The need for the Council to continue to address small arms issues in its response to particular conflict and post-conflict situations remains real.

In that regard, we welcome the Secretary-General's most recent report (S/2003/1217) on initiatives undertaken to implement his earlier recommendations on ways and means in which the Security Council can contribute to dealing with small arms questions in situations under its consideration. Those recommendations set out a series of practical steps that the Council may take, and we are heartened by the progress made so far.

In particular, targeted and specific arms embargoes — if effectively enforced by Member States — are an important tool at the Council's disposal to prevent the proliferation of small arms in a particular conflict. Strengthened national export controls, including effective end-user certification and an effective cross-border tracing mechanism, are also integral to defending against illicit transfers and ensuring that legally exported arms do not end up in illicit hands.

In the post-conflict phase, effective disarmament, demobilization and reintegration elements are crucial in ensuring that small arms and light weapons do not disrupt peace-building and reconstruction efforts. In that regard, we support the Secretary-General's comments about the importance of increasing the funding for such programmes.

It also remains critical that the Council continue its efforts to identify the links between the illicit trade in small arms and light weapons and the illicit exploitation of natural and other resources. Both have demonstrated their capacity to fuel and sustain conflicts.

Our own region has experienced the lawlessness and political instability that accompanies the unchecked proliferation of small arms and light weapons. It has benefited from the Council's support in managing the role of small arms in respect of the post-conflict situation in Bougainville, where the collection and destruction of weapons is a critical part of the peace process.

Pacific efforts to address the small arms issue centre on a regional approach. The importance of working collaboratively to address security issues was reaffirmed by Pacific leaders in the Biketawa Declaration, which provides for a regional approach to regional security issues. The Biketawa Declaration forms the basis for the current police and military support that Pacific Island countries have extended to Solomon Islands, at the request of its Government, to overcome instability and lawlessness, exacerbated by the spread of illicit small arms. The Regional Assistance Mission to Solomon Islands has led to the surrender of more than 3,700 weapons, the establishment of 16 police posts and the arrest of key militants, providing the conditions for donors to re-engage, for economic recovery to begin, and for a more stable, safe environment.

The effective implementation of the Programme of Action remains a priority for the Pacific region. Pacific Island Forum members have agreed on a common regional approach to weapon control, reflected in the Nadi Framework. At their last annual meeting in August 2003, Pacific Islands Forum leaders endorsed model weapons-control legislation based on that framework. Those steps have been complemented by a regional workshop, co-hosted by Japan and Australia in Tokyo in January 2003, to enhance cooperation in legal and institutional areas, law enforcement and effective small-arms stockpile management.

Finally, that progress notwithstanding, improving national legislation and regional coordination in border controls, law enforcement and armoury management will be essential to combat the threat posed by small arms. In this respect, the Secretary-General's report provides a useful practical guide and outlines areas where further progress is possible. The Security Council's continued attention to small arms issues, particularly in the regional context, will help maintain the international community's resolve to address effectively the issue's security and humanitarian dimensions.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Switzerland, to whom I give the floor.

Mr. Staehelin (Switzerland) (*spoke in French*): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council, and to thank you for having invited non-members of the Council to participate in this discussion.

Switzerland commends the Secretary-General on his excellent report on ways in which the Security Council could deal with the question of illicit trade in small arms and light weapons in situations under its consideration. The report shows that significant progress has been made in various fields of concern, even though there is still is a long way to go.

Resolution 58/241 of 23 December 2003 on "The illicit trade in small arms and light weapons in all its aspects" provides for the establishment of an open-ended working group to negotiate an international instrument to enable all States quickly to identify and reliably to trace illicit small arms and light weapons and follow their movements.

On 15 January, during informal consultations, the Swiss Ambassador, Anton Thalmann, was appointed to chair that group. The group intends to proceed in an open and transparent manner.

The opening of negotiations on an international instrument to identify and trace illicit small arms and light weapons is an important step towards implementing one of the important commitments made in the United Nations Programme of Action. Switzerland encourages all Member States to participate constructively.

One issue that requires our full attention is the question of United Nations arms embargoes. The report of the Secretary-General underlines the fact that they have proved extremely difficult to enforce, which contributes to the prolongation of conflicts. In order to enforce embargoes and to bridge legal gaps, it is essential effectively to combine national, regional and international means of monitoring the arms trade.

Switzerland believes that international cooperation can succeed only if each State introduces its own relevant national legislation.

An arms embargo is a whole chain of action; therefore monitoring mechanisms should be included that can identify the weakest links in that chain — particularly since such mechanisms may, because of their very existence, have a deterrent effect on those who might be tempted to violate such an embargo.

But such mechanisms require sufficient resources; otherwise, their effects will remain incomplete. It is therefore essential that States Members of the United Nations provide all the necessary technical and financial support to the various expert groups working in the area of arms sanctions.

The report of the Secretary-General notes that the Security Council has focused in particular on disarmament, demobilization and reintegration (DDR) programmes in its peacekeeping operations. The parties to conflicts must undertake a political commitment to include DDR components in their peace agreements. Likewise, closer cooperation should exist between the Peacekeeping Best Practices Unit of the Department of Peacekeeping Operations and the Special Committee on Peacekeeping Operations. This would be extremely beneficial.

In conclusion, I would point out that DDR programmes are complex and require considerable

financial resources, as do campaigns to collect and destroy illicit weapons. Switzerland contributes substantially to the World Bank Fund for disarmament in Sierra Leone and to the United Nations Development Programme Fund for Liberia. These programmes have aspects that are very closely related to the areas of work of national or multilateral development agencies. But members of those agencies are beginning to understand to what extent armed violence can thwart development programmes. Therefore, in order to increase the effectiveness of such DDR strategies, United Nations system agencies and Member States should try to mainstream the problem of small arms and light weapons into their development programmes.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Peru, to whom I give the floor.

Mr. De Rivero (Peru) (*spoke in Spanish*): First of all, Sir, allow me to congratulate you on Chile's very efficient guidance of the work of the Security Council, as further confirmed today by the convening of this open debate of the Council to address a topic that is of such great concern to the international community — the illicit trade in small arms and light weapons.

Small arms are today a threat to peace and security. They kill more people than any other type of weapon, and they endanger human security and make the streets unsafe in almost all the Member countries of the United Nations.

According to the figures provided by the Organization, there are more than 600 million small arms and light weapons in circulation around the world. Forty-seven of the 49 major armed conflicts of the 1990s were waged with small arms. Small arms cause half a million deaths a year: 300,000 in armed conflicts and the remaining 200,000 in murders, suicides and accidents. Small arms and light weapons are one of the central factors in world violence and urban insecurity in all countries, particularly in parts of Africa, the Middle East, Asia and Latin America. Today, terrorism, drug trafficking, common crime and most civil conflicts that plunder nations in developing countries are undoubtedly fuelled by the immense illicit trade in small arms, whose victims outnumber those of any other type of heavier or more sophisticated weapon.

For those reasons, my country — having fought terrorism, including weapons trafficking, for nearly 13 years and having overcome it — participates actively in all current initiatives to prevent and combat the illicit trade in small arms and light weapons. We complied with the requirement of submitting a national report, in conformity with the mandate of the 2001 Programme of Action, and we participated in formulating the Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. In addition, we served as Vice-Chairman of the First Biennial Meeting, held in New York, and we have supported every initiative that might enable us to make progress in this area.

It is paradoxical that, since the creation of the United Nations, small arms and light weapons have consistently killed more people than the feared weapons of mass destruction, chemical, biological and nuclear, yet the United Nations has no international treaty to regulate these small and lethal weapons. Although we undoubtedly made progress with the Programme of Action established in 2001, we are still far from finding effective solutions, because little can be achieved with non-binding resolutions and statements. Therefore, the Security Council's growing interest in dealing with this massive problem — which affects human security on every continent — is encouraging.

So we must ask ourselves: what, then, can the Security Council do to effectively halt the illicit trade in small arms? The clearest response now — there is no other — is to carry out the recommendations contained in the Secretary-General's report on this matter. We believe they are fundamental to achieving effective mandatory control over small arms and light weapons. Among those recommendations, the following are very important.

First, the Security Council should establish concrete mechanisms to obligate States to comply with the embargoes imposed by the Council against these weapons. The Council must then establish monitoring mechanisms and undertake enforcement measures against Member States that violate the embargoes.

Secondly, the Security Council must support the open-ended working group established by the General Assembly to negotiate an international legal instrument enabling States to identify and trace illicit small arms and light weapons.

Thirdly, the Council must coordinate with the General Assembly to promote, in any international action aimed at conflict prevention, strategies aimed at combating the illicit proliferation of small arms.

Fourthly, the Security Council must continue its efforts to identify the links among the illicit trade in small arms, the illegal exploitation of natural resources and drug trafficking.

Fifthly, the Council must include in the mandates of peacekeeping operations concrete provisions on the disarmament, demobilization and reintegration of former combatants. The main task should be to collect and eliminate surplus small arms and light weapons in order to prevent illicit trade that could generate new conflicts or criminal violence. That task must be closely related to an increase in the financial resources available to light-weapons disarmament programmes within the framework of peacekeeping operations, thus ensuring that such an important process does not depend on voluntary contributions.

In conclusion, I wish to reiterate that the best thing the Security Council can do today is to provide all possible support to initiatives aimed at negotiating an international legal instrument that will enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. Although it is certain that a legal instrument will not guarantee the end of the multi-million-dollar trade represented by the illicit sale of such weapons, it is also certain that such an instrument will be an important point of departure in combating a situation that, from the perspective of human security, is becoming unsustainable.

For all those reasons, Peru strongly supports the negotiation by the General Assembly of a legal instrument to identify and trace small arms and light weapons and congratulates you, Mr. President, on having convened this meeting.

The President (*spoke in Spanish*): I now call on the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): I thank you, Mr. President, for convening this open meeting, which provides another opportunity for Member States to express their views and concerns with regard to the issue of the illicit trade in small arms and light weapons. I should also like to thank the Secretary-General for his report (S/2003/1217) on this subject. In addition, I cannot fail to express our thanks and appreciation to Mr. Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs, for introducing the Secretary-General's report.

The 2001 United Nations Conference reaffirmed that the problem of the illicit trade in small arms and light weapons is extremely complex and difficult. It threatens the lives of innocent people, particularly children, women and the elderly, who continue to fall victim to such weapons. That is why we have called upon all States — particularly manufacturing and exporting States — to make every possible effort, through international cooperation, to find effective solutions that will put an end to this tragedy.

The catastrophic damage caused by small arms and light weapons has become obvious in the conflicts that continue to afflict a number of African States as well as in conflicts in States in other regions. In this regard, we renew our appeal to all Member States to respect the embargoes imposed by the Security Council on the export of small arms and light weapons to African countries suffering from conflict situations.

Here, I should stress that addressing the issue of the illicit trade in small arms and light weapons must in no way mean setting aside the priorities established by the United Nations in the disarmament field. Those priorities were clearly and unanimously set out by the international community in the Final Document of the first special session of the General Assembly devoted to disarmament, held in 1978. That document emphasized that top priority must be given to disarmament in the area of nuclear weapons and the other most lethal weapons of mass destruction.

Syria participated in the conference organized by the Department of Disarmament Affairs, in cooperation with the League of Arab States, a few weeks ago in Cairo, Egypt, to study the needs and difficulties of Arab States in confronting the issue of the illicit trade in small arms and light weapons.

We hope that the outcome of the Conference will be reflected in a future report of the Secretary-General. In that regard, I underline that the difficulties faced by Arab States are a result of the current situation: Israel's occupation of Arab land and Israel's massive arsenal of all types of nuclear, chemical and biological weapons, in addition to its many advanced conventional weapons systems.

Out of its desire to make the Middle East a region free of all weapons of mass destruction, Syria has submitted a draft resolution, which remains before the Security Council, calling for the elimination of all weapons of mass destruction in the region. We hope that the situation will ripen, allowing all Council members to vote in favour of that draft resolution.

Given the importance of regional and international interaction and cooperation in confronting the problem of the illicit trade in small arms and light weapons, Syria has signed many agreements with friendly and sister States to confront the problem and maintain our common security.

While we affirm the importance of the role of the Security Council in maintaining international peace and security, we nevertheless believe that the Council must address the root causes of the conflicts in which such weapons are used. It should deal with those causes and stress the vital need for compliance with its resolutions in those situations. The Council could also encourage initiatives aimed at mobilizing resources and expertise in order to strengthen the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It could also, if so requested, provide assistance to States to overcome the difficulties they face in implementing the Programme.

Allow me to stress once again that Syria is ready for fruitful cooperation with all States within the framework of the United Nations to seek reliable means for eradicating the illicit trade in small arms and light weapons. That would surely promote the role of the United Nations in setting out the rules of multilateralism in all aspects of international relations.

The President: I now give the floor to the representative of Canada.

Mr. Laurin (Canada): I take this opportunity to congratulate you, Sir, on your election to the presidency of the Security Council and to thank you for permitting this debate on small arms and light weapons.

The pervasive and pernicious impact of small arms on international peace and security requires the Security Council's sustained attention to this issue. Canada is encouraged by the Council's recent progress on small arms, including with regard to enhanced implementation of arms embargoes. We urge the Council to continue to focus its attention on the problem of small arms and its relationship with respect for human rights and humanitarian law as well as more traditional security concerns. Enhanced interaction with the General Assembly to promote the further development of long-term strategies within the framework of conflict prevention and peace-building could also be beneficial.

This debate affords us an invaluable opportunity to recognize the substantial progress made to date, consider lessons learned and, most important, commit ourselves to addressing outstanding challenges with renewed vigour. The Secretary-General's report (S/2003/1217) serves as a useful guideline for immediate international action. Compliance with arms embargoes and sanctions regimes is key to international peace and security. Canada calls upon all Member States to effectively implement arms embargoes imposed by the Security Council. Where necessary, the Council should strengthen States' capacities to uphold such embargoes, including via air surveillance oversight. We urge the Council to continue to utilize the tools available to it, including reports and recommendations from monitoring groups and panels of experts, to investigate alleged violations. Where appropriate, the Council should also give consideration to measures to be taken against those who violate arms embargoes.

We would note that the Interpol Weapons and Explosives Tracking System, created in Canada by the Royal Canadian Mounted Police, is an excellent example of a mechanism designed to identify and monitor arms traffickers who have violated arms embargoes established by the Council.

We would also underline the importance of the work of experts in exposing the link between the illicit trade in small arms and the illicit exploitation of natural resources. We urge the Council to take appropriate measures to break the link between arms shipments through illicit channels and the illicit exploitation of resources. In that regard, Canada recognizes the need for consistent and verifiable end-user certificates and welcomes the Secretary-General's recommendation that all States establish the necessary measures to ensure effective control over the export and transit of small arms.

The forging of end-user certificates continues to thwart international efforts to ensure accurate

monitoring of arms exports. Attention must also be paid to the question of State responsibility for arms transfers. There is no doubt that an effective global response to small arms issues must address control on transfers between States as well as transfers to non-State actors.

Effective disarmament, demobilization and reintegration programmes also merit additional Council attention, particularly as successful post-conflict reconstruction and reconciliation are often contingent on concerted national, regional and multilateral cooperation, as well as on sustained political will and the concomitant allocation of requisite resources.

It is important to note that the responsibility to address this issue falls not only to the Council but also to States, international and regional organizations and civil society. Much progress has been made by these actors, including the recent establishment of an open-ended working group to negotiate an instrument to enable States to identify and trace illicit small arms and light weapons. We look forward to the start of such critical work, which, once completed, will help to curb illicit transfers of small arms and prevent their exportation to areas where they risk exacerbating conflicts and contributing to serious violations of human rights and international law.

(*spoke in French*)

Small arms and light weapons are still one of the main causes of human suffering throughout the world, as they account for more than half the loss of lives in modern conflicts. First and primarily, it is individuals that suffer: girls, boys, women and men, in various tragic ways. In order to succeed, strategies to reduce the proliferation and misuse of small arms and light weapons must recognize those various requirements. We must work locally with those who suffer daily from this scourge and enable civil society, including women's organizations, to participate in designing programmes. Our efforts must promote both demand reduction strategies and community police initiatives. In order to achieve those great goals, it is important to set up a competent and responsible security sector designed to strengthen public security and better respond to collective needs. The proliferation and inappropriate use of small arms and light weapons has profound effects that we need to consider. The problem goes beyond the military, political, arms control and disarmament domains: it has human and humanitarian effects, as well as significant socio-economic consequences.

In that context, Canada primarily and above all seeks to protect people and to make their communities safer. We will continue to actively participate in various regional and multilateral organizations in the Human Security Network in order to attain those goals.

Canada supports the efforts currently undertaken by the United Nations to render the coordinated action against small arms even more effective. The multi-faceted nature of the important problems that these weapons entail requires a coordinated and exhaustive response that would use the resources and competencies of various United Nations bodies. In our view, we need to strengthen and focus this action, because therein lies the key to an integrated international response.

The challenge for the Security Council and for Member States — as well as their partners in international organizations and civil society — is to now implement this urgent programme, [illegible] the collective quest for tangible progress. We must involve ourselves in other policy research and development activities in order to bridge the gaps in the international response, to provide the resources that this requires and to prepare us for the biennial meeting of 2005 and the review conference of 2006. We must act now in a creative and constructive manner to achieve our common objectives.

The President (*spoke in Spanish*): Before giving the floor to the Ambassador of Zimbabwe, I would like to recall what was said this morning about confining the length of statements to five minutes for the sake of the efficiency of the Council's work. We will be circulating the full text of statements provided by delegates.

I now give the floor to the representative of Zimbabwe.

Mr. Chidyausiku (Zimbabwe): Failure to actively participate in today's open debate, which addresses one of the most acute problems of our times, the scourge of small arms and light weapons, would be a dereliction of duty on my part.

We thank you, Mr. President, for convening this meeting. As noted in the Secretary-General's report on small arms of 31 December 2003 (S/2003/1217), which provides the basis for our meeting today, small arms

have acquired the less than enviable role of being one of the main vehicles of violence and social instability in many developing countries. My delegation welcomes the report's recommendations on the implementation of the United Nations Programme of Action on Small Arms as well as the call for the Council to strengthen the financing of disarmament, demobilization and reintegration (DDR) programmes.

In Southern Africa, a growing number of issues that know no borders, such as smuggling and trade in small arms and light weapons and drugs, demand a coordinated regional response. The Southern Africa Regional Action Programme on Light Arms and Illicit Arms Trafficking is guided by the Southern African Development Community (SADC) Summit decisions of August 1999. On the issue of prevention and combat of illicit trafficking in small arms and related crimes, the SADC Summit noted that conflicts in the SADC region over many years led to a proliferation of arms, including light weapons. This, in turn, contributed to an increase in criminal activities, such as armed robberies, illicit trafficking in small arms, drug trafficking, money laundering and carjackings.

Relying on its philosophy, which is best described by the adage "cooperation is better than competition", SADC has developed a well-coordinated framework to effectively combat armed trans-border crime and curb the flow of small arms and light weapons.

SADC has established the Southern African Regional Police Chiefs Cooperation Organization, which acts as the regional database for information associated with the flows of small arms and light weapons.

The harmonization of basic criminal law relating to drugs and small arms trafficking has also been a priority area. This has been linked to the training and education of the judiciary to encourage tougher sentencing for firearms offences.

In the past, Zimbabwe has played an active and influential role in this area, especially at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its associated preparatory committees. Zimbabwe signed and ratified the SADC Protocol on Firearms, Ammunition and Other Related Materials in August 2001, which provides a useful model for other regions when considering the implementation of the Programme of Action on Small Arms.

The Protocol reflects priority needs that relate to the following: the coordination of procedures for the import, export and transit of firearms shipments; the standardized marking and identification of firearms at the time of manufacture, import or export; transparency and information exchange; and measures promoting legal uniformity and minimum standards relating to the manufacture, possession, import, export and transfer of firearms and ammunition.

At a national level, Zimbabwe does not manufacture small arms, nor does it have a national coordination agency designed to deal specifically with small arms and light weapons. However, there is an existing mechanism of interaction and cooperation between appropriate ministries and State agencies in the field of arms control and disarmament and the politico-military dimension of security.

In accordance with the United Nations Programme of Action on Small Arms, Zimbabwe is in the process of establishing a regional point of contact on small arms and light weapons. Also in line with the increasing focus on the importance of strengthening strategic export and import controls, Zimbabwe has taken steps to ensure that its import controls conform to the highest international standards.

Zimbabwe's municipal laws pertaining to firearms and ammunition provide a range of interesting learning points. We have a Central Firearms Registry, which acts as a database for civilians who own firearms. The security ministries are in the process of developing guidelines for undertaking a national review of firearms legislation.

The integration into our Programme of Action of the Secretary General's recommendation that the Council strengthen the financing of disarmament, demobilization and reintegration programmes (DDR) will enhance the preventive measures already in place.

Zimbabwe and, indeed, most of its neighbours that waged wars of national liberation know the importance of well coordinated and funded DDR programmes. Some of the projects essential for successful DDR programmes include the following: the provision of small-scale credit to returning female ex-combatants and refugees, to facilitate their reintegration into the community; the integration of demobilized soldiers into the economic and social reconstruction process through support for small scale projects that provide income and employment

opportunities; funding for vocational training and promotion of micro-enterprise for demobilized soldiers; and support national programmes for reintegration counselling and referral services.

In the case of the SADC, the international community's support of the Regional Peacekeeping Training Centre should be unwavering. The centre provides training for army and civilian police personnel who participate in United Nations peacekeeping missions.

In conclusion, if our goal is prevention, that is, curbing further international small arms proliferation by way of strengthening the international capacity to monitor and suppress the flow of small arms and light weapons, our endeavours must tackle both the supply and the demand side of the equation. In other words, a holistic approach is needed, which addresses the causes driving the demand for arms, such as poverty and social deprivation.

International action to address small arms and light weapons proliferation should not be a substitute for coherent foreign and international policies to promote economic development in the developing world. Our gathering today should not provide a pretext to avoid tackling the underlying causes associated with poverty, unemployment and socio-economic exclusion. I must emphasize that failure to address the demand side of the small arms and light weapons plague is likely to render all our other efforts nothing more than an exercise in futility.

It is our fervent hope that the Council will remained seized of this matter and continue to encourage practical steps in support of the Secretary-General's recommendations.

The President (*spoke in Spanish*): I now give the floor to the representative of India.

Mr. Nambiar (India): Mr. President, I congratulate you on Chile's presidency of the Council for the month of January. We also congratulate Bulgaria for its steering of the Council in December. We welcome the presence of new members of the Council — Algeria, Benin, Brazil, Philippines and Romania, and extend our good wishes to them.

We thank you, Mr. President, for convening this open debate of the Security Council on small arms. India attaches importance to this issue and is committed to the eradication of illicit trade in small arms and light weapons. In keeping with this commitment, we have been closely following this issue in both the General Assembly and the Security Council, and have actively contributed to cooperative international efforts in addressing this multi-faceted issue.

India is particularly aware of the complexity and lethal nature of the problem of illicit trafficking in small arms and light weapons. Since 1990 the Government of India has seized in its states in the north-east and in the north, approximately 39,000 weapons of all types. Their markings clearly indicate that the sources of these weapons lie outside India. Over the last two decades, thousands of innocent civilians in India have fallen victim to the acts of terrorists who use such illicitly obtained weapons for their nefarious activities. We have also paid a high developmental cost as a result.

India has, therefore, been actively associated with the various initiatives under the aegis of the United Nations to address the problem of illicit trafficking in small arms and light weapons and welcomed the adoption of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001. Since then, India has been engaged in the comprehensive and effective implementation of the Programme of Action. We reiterate that commitment today.

India welcomes the report of the United Nations Secretary-General contained in document S/2003/1217, on the ways and means by which the Security Council could contribute to that issue. Since almost all terrorist activities involve the use of illegal weapons, including small arms, addressing that issue would also contribute to the larger goal of combating terrorism.

There were also a number of recommendations in the Secretary-General's report of 2002 (S/2002/1053), which could go a long way towards combating the problem of small arms. India is particularly pleased to see that definite progress has been made in the implementation of some of those recommendations.

An important recommendation was made with regard to the development of an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons. India had the honour of chairing the Group of Governmental Experts constituted by the Secretary-

General pursuant to General Assembly resolution 56/24 V of 24 December 2001 to study the feasibility of developing such an international instrument. The group recommended by consensus that it was both desirable and feasible to commence work on such an instrument under United Nations auspices — a recommendation which was endorsed by the General Assembly at its fifty-eighth session. India would continue to contribute in the efforts for the early finalization of such an instrument. We believe that would be a significant step in our efforts to combat and eradicate the illicit trade in small arms and light weapons.

India was also associated with the Group of Governmental Experts constituted to study the continued operation of the United Nations Register of Conventional Arms and its further development. The Group was able to adopt by consensus its report in which it agreed to the inclusion of man-portable air defence systems within the scope of the Register. Further, the group was also able to recommend that interested States may, on a voluntary basis, report on the transfers of small arms and light weapons as well. As we are all aware, those weapons have become instruments of choice of terrorists to execute their acts. We hope that these steps, which are in keeping with the recommendations of the United Nations Plan of Action, would help in reinforcing our collective efforts to deal with this scourge.

Illicit trade occurs because of illicit production or because licit production or licit stocks enter the gray and black markets, thus swelling the illicit weapons market. Those weapons end up in the possession of criminals, thereby exacerbating problems for law enforcement agencies and, worse, getting into the hands of unscrupulous arms brokers, ending up in areas of conflict and into the hands of extremists and terrorists. The Programme of Action recognizes that measures are needed to ensure that there are effective controls over legal transfers of small arms and light weapons.

India follows a very strict policy with regard to the export of small arms and light weapons that includes the requirement for end-user certificates on a Government-to-Government basis, and a ban on exports to countries under United Nations embargo. It is our hope that all other States would also undertake an obligation not to supply such weapons to non-State actors and would insist on authenticated end-user certificates to ensure effective control over the export and transit of such weapons. The international community, for its part, must also ensure that the trade in arms flows only through channels authorized by both the exporting and importing Governments.

Greater exchange of information and collaboration between Governments would be essential in order to effectively address the problem. In that context, we support the need to strengthen the effectiveness of the International Criminal Police Organization's (Interpol) International Weapons and Explosive Tracking System (IWETS). We are happy to note that Interpol is presently undertaking technical evaluation to integrate the IWETS with its communications systems and hope that that would be completed soon. This would provide an additional tool for Member States to fight terrorism and other crimes associated with the illicit trafficking in small arms and light weapons.

Linkages among illicit trade in small arms and light weapons, the illicit exploitation of natural and other resources, as well as the trade in narcotic drugs, are important in the context of Somalia and Liberia as brought out in the report of the Secretary-General. We trust that careful consideration would be given by the Security Council to the recommendations and findings of committees constituted to investigate such linkages. For its part, the international community must also extend all the assistance necessary to help with the disarmament, demobilization and reintegration programmes in the relevant post-conflict situations.

Although the Programme of Action provides an adequate basis for further work at all levels — national, regional and global — and the primary responsibility rests with the Member States themselves to address the problem, we trust that the Security Council will take effective and practical steps, based on this report, in respect of those recommendations which are directly within its competence. Such steps would restrict the availability and use of illicit small arms and further help the implementation of the Programme of Action.

The President (*spoke in Spanish*): I now call on the Ambassador of Indonesia.

Mr. Jenie (Indonesia): My delegation welcomes the convening of this open debate by the Security Council in its continuing efforts to deal with the critical problems posed by the illicit trade in small arms in conflict-ridden areas. In recognizing the devastating

consequences of the accumulation and illegal trade of those weapons, the Council has, to its credit, undertaken a number of measures in stemming the flow of arms to the conflict areas under its purview. While those efforts have led to positive results in some areas of the world, the problem has persisted in others with the potential to ignite even greater disasters, and has therefore become a preoccupation of the international community.

Such illegal activities have not spared any country or region. A sizeable number of illegally possessed weapons flow to our region, fuel violent crime, give rise to additional conflicts and engender instability and insecurity at the national and regional levels. These weapons have become part of the growing menace of transnational organized crime.

My country has also been an unfortunate victim of those vicious activities. Because of its long coastlines and unique geographical attributes, Indonesia is particularly vulnerable to illegal transfers of small arms. Organized crime now easily make huge illegal profits across borders in different countries by utilizing advanced transportation and communication technologies.

Hence, for us, the fight against individuals and organizations that indulge in the illicit trade of weapons has become a national priority, that must take into account implications for our territorial integrity and commitment to maintain national unity. Such an unsettling state of affairs also hinders the settlement of separatist tendencies in certain parts of the country that are detrimental to our national stability and security.

It is against these overriding considerations that my delegation welcomes the report of the Secretary-General in document S/2003/1217 and the recommendations contained therein to curb and eliminate the global scourge of small arms. We also welcome in particular the call for efforts to develop an international instrument to enable States to identify and trace illicit arms in a timely and reliable manner. In this regard, we endorse the finding of the Group of Experts that it is feasible to develop such an instrument that would make a significant contribution to eradicate that menace. The General Assembly's decision to establish a working group to negotiate its nature and scope is a step in the right direction and we look forward to actively participating in its deliberations.

My delegation is gratified to note the Secretary-General's recommendation for greater interaction between the General Assembly and the Security Council within the framework of international efforts at conflict prevention and peace-building that would promote, in a coordinated manner, the crucial task of developing long-term strategies to halt the illicit proliferation of small arms and could, in particular, promote the implementation of the United Nations Programme of Action on Small Arms at national, regional and global levels. States belonging to the Association of South-East Asian Nations are active at those levels, in implementing that programme.

In the post-conflict period in the countries cited in the report, which are mostly in Africa, commendable progress has been made in such diverse areas as consolidating State authority throughout the country, implementing demobilization, disarmament, rehabilitation and resettlement programmes for ex-combatants, fostering human rights and national reconciliation and promoting socio-economic progress. These efforts were undertaken within the right of States to self-defence and security and without prejudice to their corresponding right for effective control over the export, import, transit and storage of small weapons. They are all crucial to the consolidation of peace and security.

For these reasons, my delegation commends the Secretary-General's proposal for the maintenance of a comprehensive approach to address these situations, including with regard to rendering assistance in capacity-building and confidence-building measures; conflict prevention initiatives and peacekeeping operations; and the establishment of a secure environment for sustainable development. Thus, complex challenges involving the political, security, humanitarian and economic dimensions of conflict in a region can be taken as a whole to facilitate the transition from peacekeeping to peace-building, and from relief to development.

Indonesia supports in principle the existing mechanism for transparency in armaments under the United Nations Register of Conventional Arms, which is included as one of the recommendations. Apart from the seven major categories of arms included in the Register, its further development should also entail bringing in other categories such as stockpiling, national production and military holdings.

In conclusion, my delegation can go along with the Secretary-General's assessment that, while significant progress has been made in numerous areas through a series of measures in stemming the illicit trade in small arms, other areas present a mixed picture. We should continue to resolve old concerns while identifying new ones, as we look forward to the Second Biennial Meeting of States to consider the implementation of the United Nations Programme of Action on Small Arms and Light Weapons, to be held next year, which will chart a further course of action in preparing for the review conference in 2006.

The President (*spoke in Spanish*): The next speaker is the representative of Sierra Leone, on whom I now call.

Mr. Pemagbi (Sierra Leone): My delegation would like to join others in congratulating you, Sir, on your assumption of the presidency of the Security Council the first month of 2004 and for your efforts to sustain the momentum of the attempt to rid the world of small arms and light weapons.

The title of the agenda item under consideration by the Council is "Small arms". However the issue is, of course, the illicit trade in small arms and light weapons. As the Secretary-General states in his most recent report, the General Assembly recently took an important decision with a view to dealing with this issue: the establishment of an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

We consider that to be one of the most far-reaching decisions in current efforts to eradicate what has become another scourge in the world today, especially in Africa. For a country that has experienced the agony and the devastating effects of this inhuman trade, Sierra Leone wholeheartedly supports any action that is directed at the source of the problem — the manufacturing and supply channel. We do so not because we underestimate the need to deal more effectively with the so-called consumer side of the equation but, on the contrary, because we strongly believe that the firearms industry has not done enough, as far as legally-binding measures are concerned, to check the flow of these deadly weapons and to ensure that they do not reach non-State actors.

The General Assembly's decision concerning an international instrument on marking and tracing came within four months of the First Biennial Meeting of States to Consider the Implementation of the 2001 Programme of Action To Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The General Assembly has already made an invaluable contribution towards the eradication of the problem. The Secretary-General's most recent report (S/2003/1217) focuses on the Security Council's own contribution. In the view of the Sierra Leone delegation, the question is, "What should the Council do, or what is it obligated to do?"

The fact is that Council should continue to acknowledge that the illicit trade in small arms and light weapons poses a serious threat to international peace and security. Therefore, as the organ with primary responsibility for the maintenance of international peace and security, it must assume its responsibility in removing the threat. The Council must go beyond its presidential statements — statements in which it expresses support for such efforts as the drafting of the proposed international instrument on marking and tracing and the establishment of national registers of arms brokers and end-user certificates. These expressions of support for efforts undertaken by Member States and regional organizations are always welcome. They provide the political weight that is often needed to strengthen the implementation of such initiatives. However, in our view the Security Council should, for instance, seek other means of enforcing its arms embargoes.

In this connection, we note the Secretary-General's observation in his most recent report, that while arms embargoes continue to be the most frequent sanctions measure imposed by the Council, they have proved to be extremely difficult to enforce. The Council should, as a matter of urgency, address the problem of lack of compliance by Member States, especially non-compliance that is attributable to inadequate legislation, lack of enforcement or technical capacity. We share the Secretary-General's suggestion that the Council should consider steps that could assist Member States in implementing the mandatory arms embargoes.

Sierra Leone welcomes the decision of the Council to maintain the arms embargo against Liberia. While prospects for peace and stability in the Mano River Union countries have improved considerably

with the expansion of the United Nations peacekeeping operations in Liberia and the start of the disarmament, demobilization and reintegration programme (DDR), we cannot afford to be complacent. The arms embargo must be scrupulously monitored.

We note with satisfaction the observation that the Security Council has focused considerable attention on DDR programmes in United Nations peacekeeping missions. For example, reference is made in the report to the Council's call on parties to conflict in West Africa to recognize the importance of activities related to DDR in post-conflict situations, and specific measures for the collection and disposal of illicit and/or surplus small arms.

We note in paragraph 5 under recommendation 2 of the Secretary-General's report, that the Security Council, in welcoming the identification of arms traffickers who have violated arms embargoes established by the Council, has called on Member States to impose appropriate penalties on such violators.

Sierra Leone believes that the Council should consider what action should be taken when States fail to penalize arms traffickers who violate the Council's arms embargoes.

Recognition of the importance of DDR and related activities cannot be overemphasized. However, the Security Council should find a more practical and effective means of addressing the problem of shortfalls in funding DDR programmes. Timely and adequate funding is critical to the success of DDR programmes and efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons. In the view of the Sierra Leone delegation, actions taken by the Council, as outlined in the latest report of the Secretary-General on small arms, have not adequately addressed the recommendation concerning the funding of DDR programmes through the assessed budget for United Nations peacekeeping operations.

We continue to support the recommendation that the Council should consider strengthening the financing of DDR programmes through the expansion of measures covered under the budget for peacekeeping operations. We agree that this would ensure that DDR activities are not entirely dependent on voluntary contributions from Member States.

In this connection, we recall that last year, in expressing concern about the continuing financial shortfall in our Multi-Donor Trust Fund for DDR, the Council merely urged the Government of Sierra Leone to seek actively the urgently needed additional resources for reintegration. We also recall that the DDR programme initiated and launched by the Government before the 1999 Lomé Peace Agreement stalled miserably because of funding problems.

While the Secretary-General is pleased to note the significant and encouraging progress achieved in the implementation of the various recommendations, Sierra Leone attaches special importance to the issue of secure funding for DDR from the assessed peacekeeping budget — an issue that the Secretary-General has underscored in the three concluding paragraphs of his report.

We trust that the Council will give it the serious attention it deserves in the context of the threat that the illicit trade in small arms and light weapons continues to poses to international peace and security, and the Council's primary responsibility for the maintenance of international peace and security.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Mali, to whom I give the floor.

Mr. Diarra (Mali) (*spoke in French*): Allow me, Sir, to convey to you my delegation's congratulations on your assumption of the presidency of the Security Council for January, and to thank you for having initiated a debate on this subject.

I should like also to congratulate the Secretary-General, Mr. Kofi Annan, for the high quality of his report contained in document S/2003/1217, and the Under-Secretary-General for Disarmament Affairs for having introduced it.

This very useful document provides responses to concerns expressed by the Council in its statement of 31 October 2002, in which the Council requested the identification of

> "initiatives undertaken to implement the recommendations of the Secretary-General on ways and means in which the Security Council could contribute to dealing with the question of the illicit trade in small arms and light weapons in situations under its consideration". (*S/2003/1217, p. 1*)

The situations under consideration by the Council which are fuelled by the illicit trade in small arms are basically confined to the developing countries, in particular those in Africa. In such crisis situations, the risk of the use of weapons of mass destruction is practically nil. However, because of their uncontrolled proliferation, small arms and light weapons have an impact that is almost as devastating, leading to the destruction of human lives, in particular those of the most vulnerable — women and children. But the adverse effects of such crises can also be seen on the weak infrastructure of the affected countries.

Finally, they lead to chronic instability, which affects the international credibility of the entire continent.

Whatever the origins and manifestations of these crises, they have certainly troubled the international community. In Africa, there have been bilateral responses to them, as was the case of Mali in the 1990s, with Algeria's mediation. There have been subregional responses such as the Economic Community of West African States (ECOWAS) Mechanism for Conflict Prevention, Management and Resolution, and the mediation efforts of the Inter-Government Authority on Development (IGAD) and of the southern African mechanism. There have also been also continent-wide responses, through the African Union's Mechanism for Conflict Prevention, Management and Resolution, which has demonstrated its value and which will soon be replaced by the Peace and Security Council and the Africa Peace Fund.

The response has been essentially international in the case of the Security Council, which bears the primary responsibility for the maintenance of international peace and security. This awareness of its responsibilities is the reason why it has simultaneously authorized six peacekeeping operations in our continent. We hope that it will soon authorize the transformation of the United Nations Mission in Côte d'Ivoire (MINUCI) into a United Nations peacekeeping operation.

The efforts of the international community are often thwarted by the persistence of certain crises. Two factors, generally speaking, are behind this situation: the illegal exploitation of natural resources in conflict areas, and the illicit trade in small arms and light weapons. These two phenomena are indeed linked — one fuels the other.

The combat against these practices is being waged at various levels. At the subregional level, for example, there is the ECOWAS moratorium on small arms, which was renewed in 2001; the Protocol adopted by southern Africa, also in 2001; and the draft Protocol for East Africa.

The continent-wide reaction to the illegal proliferation of small arms is enshrined in the Bamako Declaration, which was adopted following the ministerial conference of the Organization of African Unity (OAU) held on 1 December 2000, and the Algiers Action Plan, adopted on 14 September 2002.

But it was the entire international community that mobilized and adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, following the United Nations Conference held from 9-20 July 2001.

The principal organs of the United Nations have also adopted measures in this respect. In resolution 58/241, the General Assembly decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

The Council endorsed the relevant recommendations of the Secretary-General and, in its declaration of 31 October 2002, asked the Secretary-General to produce the report that is before us.

The recommendations contained in the report are relevant. Some of them were reflected in States' reports on the occasion of the First Biennial Meeting on the implementation of the Programme of Action, to which I referred earlier.

As the first recommendation suggests, my country, Mali, participated in 2003 in the Oslo Conference on the drafting of an international convention on the transfer of arms, and stated its support for the French-Swiss initiative on the traceability of weapons and for the Group of Governmental Experts.

However, effective participation in these initiatives requires technical capacity that my country does not possess. Here I wish to commend the expertise that the Programme for Coordination and Assistance for Security and Development is providing to the

subregion, including my country, with the assistance of the United Nations Development Programme.

With regard to recommendation 5, Mali abides by sanctions and embargoes on arms and is engaged in a second reading of its national law on the circulation of weapons, in order to strengthen control over them.

With regard to recommendation 7, agreements to resolve the crisis in the north of Mali in the 1990s included, at a very early stage, a disarmament, demobilization and reintegration aspect, which made it possible to collect weapons in exchange for micro-development projects to benefit demobilized combatants, simultaneously with the political process of normalization.

Mali was successful in that process thanks to the generosity of its partners. But today's reality is that, because of the large number of hotbeds of tension, post-conflict reconstruction is being sidelined — hence the relevance of recommendation 8, which seeks to increase the budget of peacekeeping operations in this area.

Some of the recommendations are not the responsibility of individual States; their implementation lies with the Organization's principal organs — the General Assembly and the Security Council — between which cooperation would be useful in that regard. My delegation expresses its support for these recommendations.

In conclusion, I should like to emphasize an important aspect: raising awareness of the issue of small arms. To that end, civil society, non-governmental organizations and the media could play a central role.

The President (*spoke in Spanish*): I now call on the representative of Costa Rica.

Mr. Stagno Ugarte (Costa Rica) (*spoke in Spanish*): My delegation is pleased to see you, Sir, the Permanent Representative of Chile, presiding over the Security Council this month. The fact that your country is presiding over the Council during January undoubtedly augurs well for the rest of the year.

The accumulation, proliferation and illegal use of small arms and light weapons pose a threat to the peace and stability of all peoples. The proliferation of such weapons fuels armed conflicts, exacerbates violence, promotes crime and terrorism, contributes to the flow of refugees and internally displaced persons, makes peace processes more difficult and hinders humanitarian assistance. As Barbara Frey, Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights, recognized, "Small arms are used to violate, directly and indirectly, the entire spectrum of human rights" (E/CN.4/Sub.2/2002/39, para. 76).

We are pleased that the Security Council has recognized the pernicious impact of the proliferation of small arms and light weapons and that it has therefore decided to include that subject on its agenda. This body has already adopted a number of valuable recommendations, such as the request that all States use end-user certificates in their arms transfers, the appeal to arms-exporting countries for greater responsibility, the invitation to establish national registers of weapons intermediary firms and the appeal to impose sanctions against those who violate arms embargoes. The implementation of all those recommendations is indispensable, but it is not sufficient in itself.

The international community's action with regard to small arms must go beyond marking weapons and implementing existing embargoes. It is time to look at the problem of small arms from the perspective of human rights. It is time to prohibit the transfer of military equipment or personnel or of financial and logistical support to States whose military units or security forces participate in human rights violations. It is time to prohibit the sale of weapons to those who do not respect democratic principles or have not ratified the principal instruments of human rights or international humanitarian law.

My delegation welcomes the recent creation by the General Assembly of an open-ended working group to negotiate an international instrument that will enable States to identify and trace illicit small arms and light weapons. We also welcome the report of the Group of Experts that designed the reference framework for future negotiations. However, the mandate of those negotiations is limited. It is not sufficient to create norms for tracing and marking; we need to adopt binding norms defining when the use of weapons is legitimate and under what conditions arms transfers can be authorized. To that end, the Government of Costa Rica is promoting a draft framework convention on international arms transfers, prepared by a group of non-governmental organizations, Nobel Peace Prize

laureates and qualified jurists. The draft strives to be a faithful codification of State obligations arising from existing international law, including international humanitarian and human rights law, with regard to arms transfers.

As a basic principle, the draft framework convention establishes that every arms transfer must be authorized. The text also stipulates a number of restrictions on transfers arising directly from existing State obligations under current international humanitarian law, such as the prohibition on the use of weapons that cause excessively injurious or indiscriminate effects. In addition, the draft establishes a number of prohibitions on arms transfers when it is evident that they will be used to violate the Charter of the United Nations, to commit grave violations of human rights or international humanitarian law, or to perpetrate genocide or crimes against humanity.

The framework convention seeks, not to create any new obligations, but to specify categorically the logical and necessary implications of the norms and principles already in force. The draft also seeks the adoption of innovative measures of a precautionary nature that, in principle, should be taken into account whenever arms transfers are authorized. We hope that the draft will become a model for internationally binding agreements that, once adopted, will facilitate coordinated and concrete action involving the regulation of arms transfers.

Furthermore, the Security Council must design new mechanisms to guarantee compliance with arms embargoes. The most recent report of the Secretary-General (S/2003/1217) reveals that compliance with recommendations related to embargoes remains deficient. Suffice it to recall that, in 2001, 54 countries were linked to transfer or resale of weapons in express violation of existing embargoes. In the meantime, the sanctions committees established by the Security Council to verify compliance with such embargoes were unable to take any effective action. That came as no surprise: the sanctions committees are political bodies that lack the technical capacity to carry out genuine verification work. That is why we believe it is necessary to create a mechanism within the Secretariat to proactively monitor the implementation of arms embargoes and to serve as technical support for the sanctions committees' political work.

In the past few years, both the Security Council and the General Assembly have taken a number of positive steps against the scourge of small arms. Some measures have been positive; others have not been effective. Let us continue to move forward; there is still a long road ahead.

The President (*spoke in Spanish*): I now call on the representative of Armenia.

Mr. Martirosyan (Armenia): Since this is the first time I have taken the floor this year, I should like to congratulate the new non-permanent members of the Security Council and to wish them success for the whole period of their tenure.

The problem of combating the illicit trade in small arms and light weapons has gained momentum during the past several years. To address that and many other issues generated by that illicit trade, a Programme of Action was adopted in 2001. Member States were requested to provide information on a voluntary basis on the implementation of the Programme of Action, and my country duly complied with that request by presenting its national report in 2003.

Here, I should like to note that we view the Programme of Action as the starting point of a long, effort-driven process requiring implementation, review, updating and follow-up. The open-ended working group recently established pursuant to resolution 58/241 — adopted only a month ago by the General Assembly — is a further step forward in mobilizing international efforts to effectively curb this problem. In that regard, we should like to express our congratulations to Mr. Anton Thalmann on his nomination as Chairman of the working group, and we wish him and the group every success in carrying out their duties to further this cause. I should like to assure the Council that my country and our delegation stand ready to assist the working group in its efforts in any way possible.

As I just said, Armenia has presented its national report on the implementation of the Programme of Action in Armenia. Without going into much detail, I should merely like to cite recent developments in that field in my country. Combating all types of illicit trade — including the trafficking in small arms and light weapons — remains a priority for the Government of Armenia.

We intend to further develop our national legislation and its enforcement to increase the effectiveness of our efforts towards this goal. To that end, the decision of the Armenian Government on the rules and procedures of the licensing of the production of arms in the Republic of Armenia entered into force in July 2003, adding to the existing laws and regulations and enabling more complete and stricter oversight in this field.

Additionally, the new criminal code, which entered into force on 1 August 2003, has expanded the scope of the existing legislation by directly addressing criminal offences in the illegal manufacture, possession, stockpiling, acquisition, sale, transportation and theft of arms and ammunition or explosives and by defining criminal offences relative to the inaccurate or careless stockpiling of arms.

Notwithstanding all the aforementioned, it should be noted that there are no potentially destabilizing accumulations of small arms and light weapons in the territory of Armenia, and the Government exercises stringent control over the possession, manufacturing and trading of small arms in the territory of the country.

As is commonly recognized now, the issue of small arms and light weapons is not merely an arms control and disarmament issue. It has a human rights dimension. It is linked to terrorism and organized crime, to mention just a few. Henceforth, the problem of small arms and light weapons should be dealt with from an inclusive perspective of national, regional and international security, conflict-prevention and post-conflict peace-building. Therefore, we should maintain a balanced and comprehensive approach to effectively address this issue.

Nonetheless, it should be noted that while small arms and light weapons play a significant role in exacerbating conflicts, the roots of those conflicts lie in political, economic, ethnic and cultural differences and disparities. These are often aggravated by governance-related deficiencies, weak democratic institutions or lack thereof, non-observance of and disrespect for human rights and fundamental freedoms, as well as disregard of the right of peoples to self-determination. We should be aware of the fact that the complex nature of conflicts requires a comprehensive approach rather than reducing it to the problem of small arms and light weapons alone.

Armenia successfully cooperates in this field with regional organizations, the Organization for Security and Cooperation in Europe (OSCE) in particular. We welcome the adoption of the OSCE's best practice guide, which marks further progress in this area. However, further steps could be taken to enhance cooperation by establishing a register of small arms and light weapons, as well as other cooperation mechanisms such as subregional transparency and confidence-building measures with a view to combating illicit trade. Harmonization of national control laws and regulations, as well as the exchange of national lists of registered brokers, can be carried our within subregional and regional frameworks as well. Such initiatives may run parallel to the conflict-resolution efforts in regions such as ours by preventing further arms races and serving as a significant confidence-building measure.

The President (*spoke in Spanish*): I now give the floor to Mr. Abe, Under-Secretary-General for Disarmament Affairs, so that he can respond, perhaps, to some of the comments made by delegations.

Mr. Abe: I shall be very brief. I wish to thank delegations for the expressions of appreciation and encouragement they have given to the work of the Secretariat concerning small arms. The Secretariat will continue working on the question of small arms on the basis of the discussions held in the Council today. The Secretariat will stand ready to assist any further work of the Security Council concerning small arms and light weapons. Finally, the Secretariat will be reporting to the Council as appropriate.

The President (*spoke in Spanish*): As a result of the consultations held among the members of the Council, I have been authorized to make the following statement on behalf of the Council.

(*spoke in English*)

> "The Security Council welcomes the report of the Secretary-General on the implementation of his recommendations to the Council entitled 'Small arms' (S/2003/1217) of 31 December 2003, and reaffirms the statements of its President of 31 October 2002 (S/PRST/2002/30), of 24 September 1999 (S/PRST/1999/28), and of 31 August 2001 (S/PRST/2001/21).
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> "The Security Council recalls its primary responsibility under the Charter of the United

Nations for the maintenance of international peace and security, in view of which its attention is drawn inevitably to the illicit trade of small arms and light weapons, as such weapons are the most frequently used in armed conflicts.

"The Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs.

"The Council welcomes all efforts already undertaken by Member States and calls upon them to fully implement at the national, regional and international levels the recommendations contained in the Programme of Action adopted in July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

"The Council welcomes resolution 58/241 of 23 December 2003 of the General Assembly by which, among other things, it decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons and calls upon all Member States to support all efforts aimed at this purpose.

"The Council encourages the arms-exporting countries to exercise the highest degree of responsibility in small arms and light weapons transactions. It also encourages international and regional cooperation in the consideration of the origin and transfers of small arms and light weapons in order to prevent their diversion to terrorist groups, in particular, Al Qaeda. The Council welcomes the significant steps that have been taken by Member States in this regard. The obligation of Member States to enforce the arms embargo should be coupled with enhanced international and regional cooperation concerning arms exports.

"The Security Council reiterates its call on all Member States to effectively implement arms embargoes and other sanction measures imposed by the Council in its relevant resolutions and urges Member States in a position to do so to provide assistance to interested States in strengthening their capacity to fulfil their obligations in this regard. The Council encourages Members to undertake vigorous actions aimed at restricting the supply of small arms, light weapons and ammunitions to areas of instability. The Council further encourages Member States to provide the Sanctions Committees with available information on alleged violations of arms embargoes and also calls on Member States to give due consideration to the recommendations of the related reports.

"The Council continues to recognize the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes.

"The Security Council reiterates the importance of carrying out disarmament, demobilization and reintegration programmes, an increasingly essential component of peacekeeping mandates, as comprehensively and effectively as possible in post-conflict situations under its consideration.

"The Security Council takes note of the inclusion of man-portable air defence systems (MANPADS) on an exceptional basis in the United Nations Register of Conventional Arms.

"The Security Council requests the Secretary-General to update the Council for its next meeting on the subject on the further implementation of the recommendations contained in his report entitled 'Small Arms' of 31 December 2003."

(*spoke in Spanish*)

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/1.

As there are no further speakers inscribed on my list, the Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.10 p.m.